

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

JUL 17 2019

for the

Southern District of Texas

David J. Bradley, Clerk

United States of America

v.

Abel FLORES Jr.

YOB: 1976

U.S. Citizen

Case No. M-19-1658-M

Defendant(s).

SEALED**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 7, 2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18 USC 2119

18 USC 2119 - Whoever, with the intent to cause death or serious bodily harm, takes a motor vehicle that has been transported, shipped, or received in interstate or foreign commerce from the person or presence of another by force and violence or by intimidation, or attempts to do so.

This criminal complaint is based on these facts:

(See ATTACHMENT A as a continuation)

 Continued on the attached sheet.

Approved by

Complainant's signature

Stephen J. Zilko - ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 7/17/19 - 8:24 a.m.

Judge's signature

City and state: McAllen, Texas

Hon. Juan F. Alanis, U.S. Magistrate Judge

Printed name and title

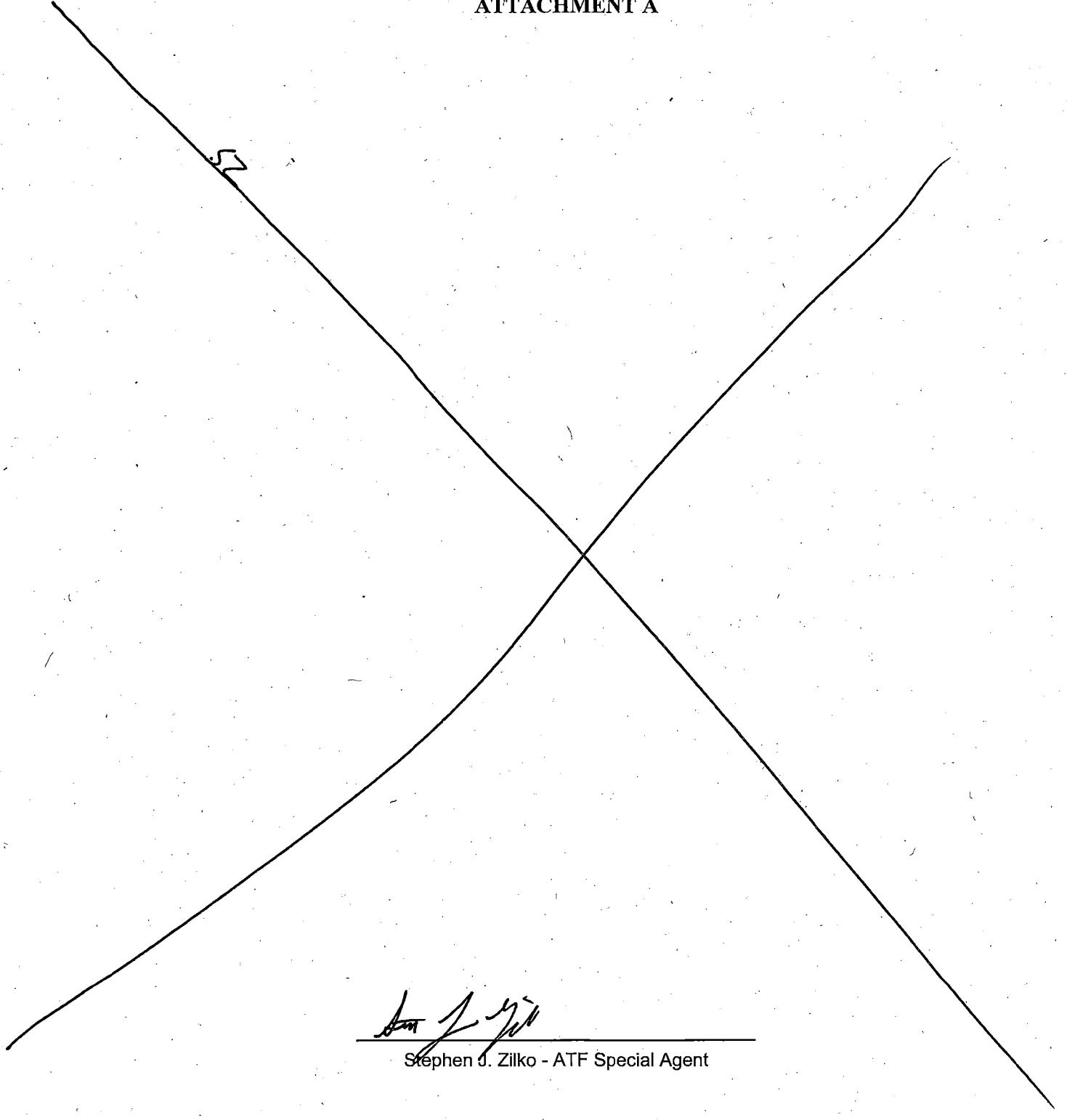
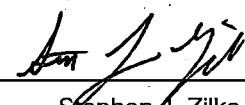
ATTACHMENT A

The facts establishing the foregoing issuance of an arrest warrant are based on the following:

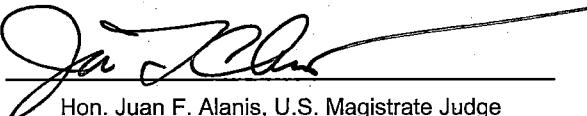
I, Special Agent Stephen J. Zilko, affiant, do hereby depose and state the following:

1. I am a Special Agent (SA) of the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been a law enforcement officer since February 2013. My duties include the investigation of violations of the federal firearms laws. I know it to be unlawful for any person to take a motor vehicle that has traveled in and affected interstate or foreign commerce from the person or presence of another by force and violence or by intimidation. This criminal complaint is based on the following facts:
2. On July 7, 2019, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) received information from the Alamo Police Department (APD) related to the arrest of Abel FLORES Jr (hereinafter referred to as FLORES). Agents were informed that FLORES was arrested after attempting to steal an automobile by threatening the two occupants of the vehicle while brandishing a firearm. According to the APD investigator, the vehicle occupants provided statements describing FLORES approaching the occupants and displaying the aforementioned firearm while the vehicle was parked on the frontage road in Alamo, TX. The occupants stated FLORES threatened physical harm while demanding the occupants exit the vehicle. According to the occupants, during the attempted carjacking, one of the occupants attempted to overpower Flores.
3. According to responding APD Officers, when they responded to the frontage road location, they witnessed FLORES in an altercation with one of the occupants. APD discovered a firearm on the ground in close proximity to FLORES.
4. According to an APD investigator during a search incident to arrest APD Officers discovered a second firearm concealed in a bag FLORES was carrying during the altercation.
5. On July 10, 2019, an ATF Interstate Nexus Expert examined the firearms seized as part of this investigation. The ATF Interstate Nexus Expert concluded that both firearms did, in fact, travel in and affect interstate or foreign commerce.
6. On July 10, 2019, a Texas Department of Public Safety (DPS) Agent conducted a records check of the vehicle FLORES attempted to carjack. The DPS Agent determined the vehicle FLORES attempted to carjack was manufactured in Canada, therefore the vehicle traveled in and affected interstate or foreign commerce.

ATTACHMENT A



Stephen J. Zilko - ATF Special Agent

Sworn to before me and subscribed in my presence,


Hon. Juan F. Alanis, U.S. Magistrate Judge

7-17-19

Date